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Julie Nguyen

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In the application of:

Ho, et al.

Serial No.: 10/828,761

Filing Date: April 20, 2004

For: DUAL-DISPLAY PANEL MODULE
WITH A SHARED ASIC CHIP

Examiner: Abdulselam, Abbas I.

Group Art Unit: 2629

REPLY BRIEF

Mail Stop Appeal Brief
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This Reply Brief is in response to the Examiner's Answer dated October 28, 2010.

STATUS OF CLAIMS

Claims 2, 3, 9 and 10 have been canceled, and claims 1, 4-8 and 11-21 stand finally rejected, as indicated by the Final Office action mailed October 9, 2007. Claims 1, 4-8 and 11-21 are being appealed. A copy of the claims being appealed was presented in the Claims Appendix attached to Appellant's earlier Brief.

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

- (1) Whether claims 15-21 are unpatentable under 35 U.S.C. 112, first paragraph.
- (2) Whether claim 15 is unpatentable under 35 U.S.C. 102(e) as being anticipated by Toba (USPN 6907276; hereinafter “Toba”).
- (3) Whether claims 1, 4, 8, 11, and 16-18 are unpatentable under 35 U.S.C. 103(a) over Toba in view of Aoki et al. (USPN 7184010; hereinafter “Aoki”).
- (4) Whether claims 5 and 12 are unpatentable under 35 U.S.C. 103(a) over Toba in view of Aoki and Sekura et al. (USPN 6198383; hereinafter “Sekura”).
- (5) Whether claims 6-7 and 13-14 are unpatentable under 35 U.S.C. 103(a) over Toba in view of Aoki and Jacobsen et al. (USPN 6073034; hereinafter “Jacobsen”).
- (6) Whether claim 19 is unpatentable under 35 U.S.C. 103(a) over Toba in view of Sekura.
- (7) Whether claims 20-21 are unpatentable under 35 U.S.C. 103(a) Toba and Jacobsen.

ARGUMENTS

The Examiner essentially repeated the basis of the rejections set forth in the Final Office Action. In addition to the arguments presented in Appellant's earlier Brief, Appellant presents the arguments below in response to the Examiner's counter-arguments set forth in the "Response to Argument" section beginning on page 12 in the Examiner's Answer. Appellant will address the Examiner's counter-arguments in the same order presented by the Examiner, using the same headings used by the Examiner. Absence of Appellant's response to a specific Examiner counter-argument should not be taken to be Appellant's conceding to such counter-argument.

A. Independent Claim 15

Concerning the Section 112, first paragraph rejection, the Examiner counter-argued that just because the specification states the connector as being a flexible circuit board, it does not mean that the specification reasonably discloses the connector as being independent of switches, and any inherency explicitly or implicitly should have been disclosed in the specification as filed originally.

Appellant earlier presented arguments that the specification supports the recited connector independent of any switches. Further, Appellant submits that the specification does not specifically disclose the presence of any switches in the connector. On the contrary, based on a reasonable reading of the specification including the drawings, the recited connector is supported by the disclosed flexible circuit board (FPCB), which connector is disclosed to be

independent of switches in the FPCB. Accordingly, the specification explicitly, or at least implicitly and/or inherently, supports the connector independent of any switches. Further, Appellant submits that by nature of inherency, the inherent structure does not need to be explicitly disclosed in the specification, contrary to the Examiner's position.

As noted in Appellant's earlier Appeal Brief, the Examiner never raised a new matter issue, but he failed to enter Appellant's amendments to the specification proposed in the Supplemental Response to Final Office Action (see, Appellant's Supplemental Response to Final Office Action dated January 9, 2008). As also noted earlier, the present 112 rejection of claim 15 is not based on new matter, but instead based on failure to comply with written description requirement (i.e., The claim contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.) As noted by Appellant's earlier arguments, based on the description including the written disclosure specification and drawings as a whole, it would be clear that one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention, which comprises a connector (e.g., a FPCB) independent of any switches.

In the Examiner's Answer, the Examiner noted that the use of switches is not excluded in the specification. Appellant respectfully submits that while use of switches is not explicitly excluded in the specification, this point is irrelevant to claim 15. Claim 15 specifically recites that the connector is independent of any switches. As long as this recitation is supported by the specification including the drawings, it is not relevant if the specification explicitly excludes the use of switches.

Instead of dwelling on this issue on appeal, given the absence of new matter, the Examiner should have entered Appellant's earlier proposed amendments to the specification, which explicitly discloses the FPCB structure is independent of any switches, as supported by a reasonable reading the original disclosure of the specification including the drawings as a whole.

Accordingly, claim 15 meets the written disclosure requirement of the first paragraph of Section 112.

Concerning the 102(c) rejection based on Toba, the switches (27, 28) in Toba does not correspond to the recited "connector", for the reasons Appellant noted in the Appeal Brief.

Further, in response to Examiner's counter-arguments, Appellant notes that claim 15 recites "... a connector electrically connecting the primary display module and secondary display module, wherein the connector is independent of any switches; and a driver operatively coupled to the primary display module and secondary display module, wherein the driver is supported in electrical connections to the primary display module and the secondary display modules via the connector." The switches (27, 28) in Toba does not support any component, much less any driver. Toba therefore does not disclose a driver that is supported in electrical connections to two display modules via its switches (27, 28). Accordingly, the switches (27, 28) in Toba do not correspond to the recited "connector".

Accordingly, claim 15 and all claims dependent therefrom are not anticipated by Toba.

B. Independent Claims 1 and 8

Toba and Aoki, even if somehow combined, would not obtain the claimed invention, for the reasons Appellant noted in the Appeal Brief.

Appellant notes that Aoki does not teach a FPCB interconnecting two display modules, and the switches (27, 28) in Toba do not correspond to the recited “connector”, for the reasons Appellant noted in the Appeal Brief.

Further, in response to Examiner’s counter-arguments, Appellant notes that claims 1 and 8 each recites “...a connector electrically connecting the primary display module and secondary display module, wherein the connector is a flexible printed circuit board; and a driver operatively coupled to the primary display module and secondary display module, wherein the driver is supported in electrical connections to the primary display module and the secondary display modules via the connector” The switches (27, 28) in Toba does not support any component, much less any driver. Toba does not disclose a driver that is supported in electrical connections to two display modules via its switches (27, 28). Accordingly, the switches (27, 28) in Toba do not correspond to the recited “connector”.

Accordingly, claims 1 and 8, and all claims dependent therefrom, are not rendered obvious by Toba in view of Aoki.

C. Dependent Claims 5 and 12

Toba, Aoki and Sekura, even if somehow combined, would not obtain the claimed invention, for the reasons Appellant noted in the Appeal Brief. Appellant notes that Aoki does not teach a FPCB interconnecting two display modules, and the switches (27, 28) in Toba do not correspond to the recited “connector”, for the reasons Appellant noted in the Appeal Brief. Furthermore, there is no teaching, suggestion, motivation, or any apparent reason to substitute the “connector” switches (27, 28) in Toba with a FPCB (which is without switches). Even if the

FPCB can somehow be applied to replace the switches (27, 28) as a connector, there is no teaching of any element on the FPCB to switch signals to the displays in Toba. Accordingly, Aoki effectively teaches away from replacing the switches (27, 28) with a FPCB. Sekura does not make up for the deficiencies of Toba and Aoki.

Accordingly, claims 5 and 12 are not rendered obvious by Toba, Aoki and Sekura.

D. Dependent Claims 6-7 and 13-14

The Examiner did not present counter-arguments further to those directed at the base and intervening claims. Appellant disagrees with the Examiner's counter-arguments as noted above.

E. Dependent Claim 19

The Examiner did not present counter-arguments further to those directed at the base and intervening claims. Appellant disagrees with the Examiner's counter-arguments as noted above.

G. Dependent Claim 20-21

The Examiner did not present counter-arguments further to those directed at the base and intervening claims. Appellant disagrees with the Examiner's counter-arguments as noted above.

CONCLUSION

In view of all the foregoing, Appellant respectfully submits that the Examiner's rejections cannot be sustained. Appellant respectfully requests that the Board reverse the claim rejections and pass the presently rejected claims on to allowance.

The Commissioner is hereby authorized to charge any additional fees that may be required by this transmittal and associated documents in connection with the present appeal, under 37 C.F.R. §41.20 or other applicable sections, or credit any overpayment to **Deposit Account No. 501288** referencing the attorney docket number of this application.

Respectfully submitted,

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Dated: December 28, 2010

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